

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION AT COLUMBUS**

RALPH LYNCH,

Petitioner,

: Case No. 2:07-cv-948

- vs -

District Judge Michael R. Barrett
Magistrate Judge Michael R. Merz

STEWART HUDSON, Warden,

:

Respondent.

REPORT AND RECOMMENDATIONS

This capital habeas corpus case is before the Court on the Suggestion of Petitioner's Death (ECF No. 144). Lynch's cause of action in habeas corpus does not survive his death in that he no longer remains in custody. It is accordingly recommended that this case be dismissed with prejudice and all pending motions be denied as moot.

NOTICE REGARDING OBJECTIONS

Pursuant to Fed. R. Civ. P. 72(b), any party may serve and file specific, written objections to the proposed findings and recommendations within fourteen days after being served with this Report and Recommendations. Such objections shall specify the portions of the Report objected to and shall be accompanied by a memorandum of law in support of the objections. A party may respond to another party's objections within fourteen days after being served with a copy thereof. Failure to make objections in accordance with this procedure may forfeit rights on appeal.

August 10, 2022.

s/ Michael R. Merz
United States Magistrate Judge